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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/586,858	06/05/2000	Avery Osgood	GSI-005	8377

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04/27/2004

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EXAMINER

SIEFKE, SAMUEL P

ART UNIT

PAPER NUMBER

1743

DATE MAILED: 04/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/586,858

Applicant(s)

OSGOOD ET AL.

Examiner

Samuel P Siefke

Art Unit

1743

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
- ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☒ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ they raise the issue of new matter (see Note below);
- (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: _____.

Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____.

Continuation of 2. NOTE: Claim 18 and 102 bring up new issues that would require further consideration and a new search because introducing an air having a lower humidity into the enclosure from outside the enclosure brings up new issues that are not addressed in the prior art with would require a new search.

Continuation of 5. does NOT place the application in condition for allowance because: The Applicant argues the same points as argued in amendment date 05/06/03. The Office's position on these arguments stand as being the same as the in the Final Office Action. No major or minor changes to the Applicant's arguments have been made. Therefore the Office is applying the same arguments made in the Final Office Action dated 7/16/03 along with new additions to clarify the Office's position.

Applicant's arguments filed 11/03/03 have been fully considered but they are not persuasive. Applicant argues " '760 and Montague references disclose an annular nozzle 200 directs fluid along the sides of the pin. For example, the '752 reference in col. 2, lines 34-39, states that there is "a cleaning station [that] comprises a fluid jet arranged to blow down along the length of the deposit device toward its drop depositing end." Examiner would like to specifically point to column 4, lines 32-44 and even more to lines 37-42, "preferably a cleaning or drying station comprising a circular nozzle is constructed to discharge a conical flow of fluid... high pressured liquid.... against (impinging) a deposit device (being a pin or pin -like structure)." Webster's II New Riverside University Dictionary defines impinge as; (1) to push against; (2) to collide or strike. Reference '752 does just this. Applicant argues "the reference does not anticipate claim 1 even if it can be said to disclose impinging fluid against the pin of the deposit device." Col. 4, lines 37-42 do just this. It is inherent that '758 impinges a cleaning fluid on the tip of the pin because in the pin itself is the depositing device (col. 9, lines 16-50)


Applicant argues that the prior art does not teach or suggest directing a wash fluid at the pin tip in a swirling pattern. Examiner points out that the mere act of multiple streams impinging on the pin would create the "swirling" pattern recited.

Applicant argues that washing the pin comprises impacting the pin with pulsed streams of wash fluid and drying the pin before next round of pulsing. Examiner points out to col. 10, lines 22-34 as cited before in the first office action. "The pin and ring are first exposed to one or more simultaneous or successive fluid currents or blasts of continuous or pulsed flow that blow remaining sample fluid from the parts and into the trap. Subsequently a fluid stream of liquid or air may expose the parts to cleaning fluid such as liquid stream or aerosols containing water-borne detergents."

Applicant argues that the prior art does not teach drying a pin by flowing air past the pin with the air being of a lower humidity than the air in an enclosure containing the spotting instrument. Column 10 lines 32-34 teach that an air current from the nozzle, supplemented by induced air flow 204, can dry both pin and ring, in which case the air streams may be heated. The air being introduced into the chamber for drying is inherently dryer than the air around the tip of the dispensing nozzle because when heated the water on the nozzle is evaporated into the surrounding air making the air around the nozzle have more humidity than the incoming air.

Applicant argues that claim 118 is allowable because washing the pin with a wash fluid while applying a vacuum to remove wash fluid previously applied to the pin. The purpose of the vacuum pump is to create a vacuum so that when a pin is washed the vacuum removes the wash fluid previously applied to the pin (claim 1). Drying the pin is accomplished by an air current from the nozzle, supplemented by induced air flow 204 (col. 10, lines 11-34).

April 22, 2004


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